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*Lynda Calderone*  
 Lynda Calderone  
 January 28, 2005

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| Examiner Ralph Gitomer | Group Art Unit 1623<br>USPTO | 571-273-8300 | 571-273-8300 |

From: Lynda Calderone

Total Pages: 7

Direct Dial: 215.965.1272

Re: U.S. Patent Application No. 10/091,260 of Felkner et al. for "Methods, Compositions and Kits For Biological Indicator of Sterilization"  
 Docket No.: 61-2U5

Title of Paper(s) being sent: Copies of: Information Disclosure Statement, SB/08A (3 pages) and copy of PTO stamped postcard (both sides) - Filed July 11, 2002

Message: Examiner Gitomer: I located on PAIR the initialed copy of the IDS which was filed on August 1, 2002 which only cites one patent (so I now do not need that one reviewed), but PAIR does not reflect the IDS filed July 11, 2002, which cited art that was either cited to or by the Examiner in the parent filing (09/563,707). Accordingly, pursuant to our conversation of January 28, 2005, I have attached a copy of the July 11, 2002 IDS along with the SB/08/A form and stamped postcard for your consideration. Please make the IDS part of the official record and send us a copy of the initialed SB/08A form (can be attached to a Supplemental Notice of Allowance if you prefer).

Respectfully submitted, Lynda Calderone Reg. 35,837

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BY: Jodi E. Morgan

DATE: July 11, 2002

PATENT  
BOX NON-FEE AMENDMENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re: Patent Application of : Group Art Unit 1623  
I. Cecil Felkner, *et al.* :  
: Conf. No.: 8046 :  
: Appln. No.: 10/091,260 : Examiner: Not Yet Assigned  
: Filed: March 4, 2002 :  
: For: METHODS, COMPOSITIONS AND KITS : Attorney Docket  
FOR BIOLOGICAL INDICATOR OF : No. 61-2U5  
STERILIZATION :  
:

JAN 28 2005

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**INFORMATION DISCLOSURE STATEMENT**

It is requested that the references listed on the attached Information Disclosure Citation Form PTO/SB/08A be considered by the Patent Examiner in connection with the above-identified application and be made of record therein.

Copies of the references were previously cited by and/or submitted to the U.S. Patent and Trademark Office in related Application No. 09/563,707, filed May 2, 2002 (the "prior application"). The present application relies, under 35 U.S.C. § 120, on the filing date of the prior application. Therefore, under 37 C.F.R. § 1.98(d), copies of the references are not enclosed, but will be provided on request.

Independent consideration and acknowledgment of the listed references are respectfully requested.

Respectfully submitted,

IRA C. FELKNER, *et al.*

7/10/02 By: [Signature]  
(Date)

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Enclosure

|   |                        |                          |                                |
|---|------------------------|--------------------------|--------------------------------|
| Form PTO/SB/08A   |                        | <b>Complete if Known</b> |                                |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |                        | Application Number       | 10/091,260                     |
|   |                        | Filing Date              | March 4, 2002                  |
|   |                        | First Named Inventor     | I. Cecil Felkner <i>et al.</i> |
|   |                        | Group Art Unit           | 1623                           |
|   |                        | Examiner Name            | Not Yet Assigned               |
| Sheet 1 of 3  | Attorney Docket Number | 61-2U5                   |                                |

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| U.S. PATENT DOCUMENTS |                      |                      |   |  |
|-----------------------|----------------------|----------------------|---|--|
| Exr Initials          | U.S. Patent Document |                      | Name of Inventor or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-YYYY |
|                       | Number               | Kind Code (if known) |   |  |
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|                       | 3,730,842            |                      | Wyatt et al.                                    | 05-1973  |
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|                          | Country Code            | Number | Kind Code (if known) |   |  |
|                          | SU                      | 903382 | B                    | Gororumor et al. (English Language Abstract Only) | 02-1982  |
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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |   |  |  |
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|   | Shahamat, M. <i>et al.</i> "Bacterial Retention By Membrane Filters"; Abstract for American Society for Microbiology Meeting, Chicago, IL, One Page, (June 1, 1999).  |  |  |
|   | Anderson, E.M. <i>et al.</i> "Potential Application of LASER/Microbe Bioassay Technology for Determining Water-Soluble Vitamins in Foods" <i>Journal of AOAC International</i> , Vol. 76, No. 3, pp. 682-689 (1993).  |  |  |
|   | Felkner, I.C. <i>et al.</i> "Newest Approaches to Quantitative Assessment of Bioactive Organotins". <i>Science and Technology Letters</i> , Vol.1, No. 3, pp. 79-92 (October 1989)  |  |  |
|   | Felkner, I.C., Ed. Marcel Dekker, Inc., "Microbial Assay Construction: Rationale, Specificity, and Utility". In <i>Microbial Testers: Probing Carcinogenesis</i> , NY, Vol. 5, Part 2, pp. 89-91 (1991).  |  |  |

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| Form PTO/SB/08A   |                        | <b>Complete if Known</b> |                         |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |                        | Application Number       | 10/091,260              |
|   |                        | Filing Date              | March 4, 2002           |
|   |                        | First Named Inventor     | I. Cecil Felkner et al. |
|   |                        | Group Art Unit           | 1623                    |
|   |                        | Examiner Name            | Not Yet Assigned        |
| Sheet 2 of 3  | Attorney Docket Number | 61-2U5                   |                         |

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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |   |                |
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|   | Felkner, I.C.; Laumbach, A.D.; Harter, M.L. "Development of A <u>B.Subtilis</u> System to Screen Carcinogens/Mutagens: DNA-Damaging And Mutation Assays"; pp. 93 -119, (Date not specified).  |                |
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|   |   | Examiner Name            | Not Yet Assigned        |
| Sheet   | 3 | of                       | 3                       |
|   |   | Attorney Docket Number   | 61-2U5                  |

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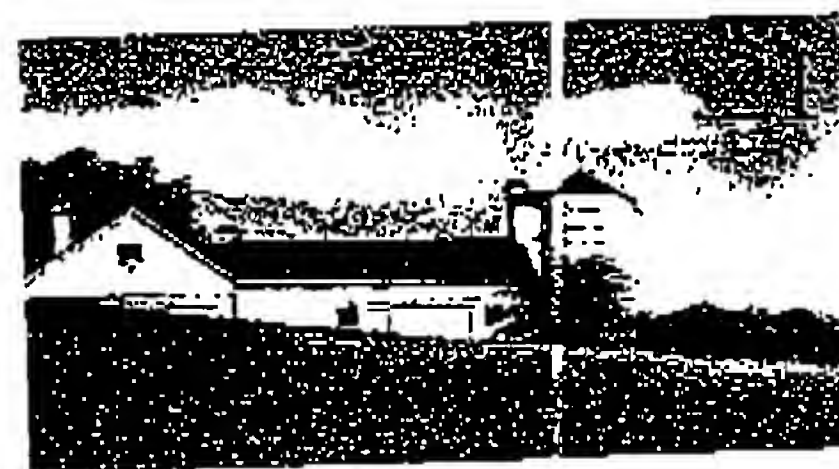
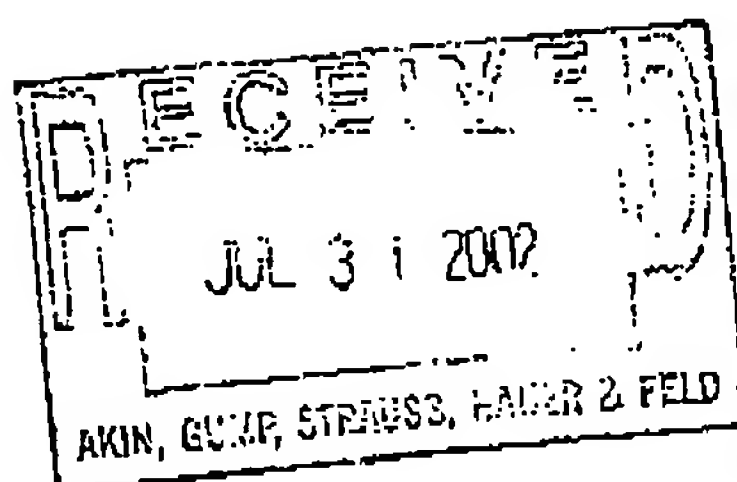
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